10:Evans-Pritchard E-S (1931-1936) 1940
FJ22 Nuer FJ22

THE NUER OF THE SOUTHERN SUDAN

By E. E. Evans-Pritchard

I WRITE shortly of the Nuer because I have already recorded a considerable part of my observations on their political constitution and the whole is about to be published as a book.[1] They have, nevertheless, been included in this volume for the reasons that their constitution is representative of East Africa and that it provides us with an extreme political type.

1. Distribution

To discover the principles of their anarchic state we must first review briefly the oecology of the people: their means of livelihood, their distribution, and the relation of these to their surroundings. The Nuer practise cattle-husbandry and agriculture. They also fish, hunt, and collect wild fruits and roots. But, unlike the other sources of their food supply, cattle have more than nutritive interest, being indeed of greater value in their eyes than anything else. So, although they have a mixed economy, Nuer are predominantly pastoral in sentiment.

Nuerland is more suited for stock-breeding than for agriculture: it is flat, clayey, savannah country, parched and bare during the drought and flooded and covered with high grasses during the rains. Heavy rain falls and the rivers overflow their banks from June to December. There is little rain and the rivers are low from December to June. The year thus comprises two seasons of about equal duration. This seasonal dichotomy, combined with pastoral interests, profoundly affects political relations.

During the rains Nuer live in villages perched on the backs of knolls and ridges or dotted over stretches of slightly elevated ground, and engage in the cultivation of millet and maize. The country which intervenes between village and village, being more

[1] This record is printed in a series of papers in *Sudan Notes and Records* from 1933 to 1938. The research was done on four expeditions and was financed mainly by the Government of the Anglo-Egyptian Sudan and partly through a Leverhulme Fellowship. Rather than merely describe again what I have already described elsewhere, I have presented my material in a more abstract form than would be permissible were a descriptive account not accessible.

10;Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

or less flooded for six months, is then unsuitable for habitation, agriculture, or grazing. Anything from five to twenty miles may separate neighbouring villages, while greater distances may divide sections of a tribe and tribe from tribe. 105

At the end of the rains, the people burn the grasses to provide new pasture and leave their villages to reside in small camps. When the drought becomes severe, the inmates of these intermediate camps concentrate on permanent water supplies. Although these moves are made primarily for the sake of the cattle, they also enable the Nuer to fish, which is generally impossible from village sites, and, to a lesser degree, to hunt and collect wild fruits and roots. When the rains set in again, they return to their villages, where the cattle have protection and the higher ground permits agriculture.

The distribution of the Nuer is determined by the physical conditions and mode of life we have outlined. During the rains, villages are separated, though by no means isolated, from their neighbours by flooded stretches of grassland, and local communities are therefore very distinct units. During the drought, people of different villages of the same district eventually concentrate on permanent water-supplies and share common camps. On the other hand, some families of a village may go to one camp and some to another, though the majority form a local community throughout the year.

Nuer seldom have a surplus of food and at the beginning of the rains it is often insufficient for their needs. Indeed, it may be said that they are generally on the verge of want and that every few years they face more or less severe famine. In these conditions, it is understandable that there is much sharing of food in the same village, especially among members of adjacent homesteads and hamlets. Though at any time some members may have more cattle and grain than others, and these are their private possessions, people eat in one another's homesteads at feasts and at daily meals, and food is in other ways shared, to such an extent that one may speak of a common stock. Food is most abundant from the end of September to the middle of December in a normal year, and it is during these months that most ceremonies, dances, &c., take place.

The Nuer have a very simple technology. Their country lacks iron and stone and the number and variety of trees are small, and

10:Evans-Pritchard E-5 (1931-1936) 1940
F322 Nuer F322

/85 they are generally unsuited for constructive purposes other than building. This paucity of raw materials, together with a meagre food supply, contracts social ties, drawing the people of village or camp closer, in a moral sense, for they are in consequence highly interdependent and their pastoral, hunting, fishing, and, to a lesser degree, their agricultural activities are of necessity joint undertakings. This is especially evident in the dry season, when the cattle of many families are tethered in a common kraal and driven as a single herd to the grazing grounds.

Thus, while in a narrow sense the economic unit is the household, the larger local communities are, directly or indirectly, co-operative groups combining to maintain existence, and corporations owning natural resources and sharing in their exploitation. In the smaller local groups the co-operative functions are more direct and evident than in the larger ones, but the collective function of obtaining for themselves the necessities of life from the same resources is in some degree common to all local communities from the household to the tribe.

These local communities are the monogamous family attached to a single hut, the household occupying a single homestead, the hamlet, the village, the camp, the district, tribal sections of varying size, the tribe, the people, and the international community the limits of which are a Nuer's social horizon. We regard the family, the household, and the hamlet as domestic, rather than political, groups, and do not discuss them further in detail.

The distribution of these local communities is very largely determined by physical conditions, especially by the presence of ground which remains above flood-level in the rains, and of permanent water which survives the drought. In any village, the size of population and the arrangement of homesteads is determined by the nature of the site. When perched on an isolated knoll, homesteads are crowded together; when strung out along a ridge, they are more widely separated; and when spread over a broad stretch of higher ground, several hundred yards may intervene between one hamlet and the next. In any large village, the homesteads are grouped in clusters, or hamlets, the inmates of which are generally close kinsmen and their spouses. It is not possible to give more than a rough indication of the size of a village population, but it may be said to vary from 50 to several hundred souls.

As explained, villages are separated by several miles of savannah.

10;Evans-Pritchard E-S (1931-1936) 1940
FJ22 Nuer FJ22

An aggregate of villages lying within a radius which allows easy inter-communication we call a 'district'. This is not a political group, for it can only be defined in relation to each village, since the same villages may be included in more than one district; and we do not regard a local community as a political group unless the people who comprise it speak of themselves as a community by contrast with other communities of the same kind and are so regarded by outsiders. Nevertheless, a district tends to coincide with a tertiary tribal section and its network of social ties are what gives the section much of its cohesion. People of the same district often share common camps in the drought and they attend one another's weddings and other ceremonies. They intermarry and hence establish between themselves many affinal and cognatic relationships which, as will be seen later, crystallize round an agnatic nucleus. 105

Villages, the political units of Nuerland, are grouped into tribal sections. There are some very small tribes to the west of the Nile which comprise only a few adjacent villages. In the larger tribes to the west of the Nile and in all the tribes to the east of it, we find that the tribal area is divided into a number of territorial sections separated by stretches of unoccupied country, which intervene also between the nearest habitations of contiguous tribes.

As all Nuer leave their villages to camp near water, they have a second distribution in the dry season. When they camp along a river, these camps sometimes succeed one another every few miles, but when they camp around inland pools, twenty to thirty miles often separate one camp from the next. The territorial principle of Nuer political structure is deeply modified by seasonal migration. People who form separate village communities in the rains may unite in a common camp in the drought. Likewise, people of the same village may join different camps. Also, it is often necessary, in the larger tribes, for members of a village to traverse wide tracts of country, occupied by other village communities, to reach water, and their camp may lie close to yet other villages. To avoid the complete loss of their herds by rinderpest or some other misfortune, Nuer often distribute the beasts in several camps.

In western Nuerland, where the tribes are generally smaller than to the east of the Nile, there is usually plenty of water and

10;Evans-Pritchard E-5 (1931-1936) 1940
F322 Nuer F322

/55 pasturage, and it is possible, therefore, for village communities of the rains to maintain a relative isolation in the drought. But where, as in the Lou tribe, for example, scarcity of water and pasturage compels more extensive movement and greater concentration, people who are very widely distributed may have more social contact with one another than is the case in western Nuerland. The isolation and autonomy of local communities are broken up by economic necessity and the size of the political group is thereby enlarged. This fact has to be considered in relation to the further fact that to the east of the Nile wider stretches of elevated ground allow larger local concentrations in the rains than is usual to the west of that river. Moreover, seasonal concentration offers an explanation, though by no means a full one, of the location of tribal boundaries, since they are determined not only by the distribution of villages, but also by the direction in which the people turn in their move to dry season pastures. Thus the tribes of the Zeraf Valley fall back on the Zeraf River and therefore do not share camps with the Lou tribe, and that part of the Lou tribe which moves east and north-east make their camps on the Nyanding River and on the upper reaches of the Pibor and do not share their waters and pasture with the Jikany tribes, who move to the upper reaches of the Sobat and the lower reaches of the Pibor. Furthermore, that some of the larger Nuer tribes are able to preserve a degree of tribal unity without governmental organs may in part be attributed to seasonal migration, since, as explained above, the different local sections are forced by the severity of the latitude into mutual contact and develop some measure of forbearance and recognition of common interests.

Likewise, a tribal section is a distinct segment, not only because its villages occupy a well-demarcated portion of its territory, but also in that it has its unique dry-season pastures. The people of one section move off in one direction and the people from an adjoining section move off in a different direction. Dry-season concentrations are never tribal, but always sectional, and at no time and in no area is the population dense.

The total Nuer population is round about 300,000. I do not know the total square mileage of the country, but to the east of the Nile, where there are, on a rough estimate, some 180,000 Nuer, they are said to occupy 26,000 square miles, with the low density of about seven to the square mile. The density is probably no

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

higher to the west of the Nile. Nowhere is there a high degree of local concentration. 106

Although dry-season movement produces more social interrelations between members of different tribal sections than the rainy season distribution might lead us to expect, these contacts are mainly individual or, when they concern groups, only smaller

DIAGRAM No. I

local communities, and not the larger tribal sections, are brought into association. This is probably one of the reasons for the lack of structural complexity and of great variation of types of social relations among the Nuer. Outside small kinship groups and village and camp communities, there are no co-operative economic combinations and there are no organized ritual associations. Except for occasional military ventures, active corporate life is restricted to small tribal segments.

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

II. Tribal System

What is a Nuer tribe? The most obvious characteristic is its territorial unity and exclusiveness, and this was even more marked before European conquest than to-day. The population of a tribe varies from a few hundreds among some small tribes to the west of the Nile—if these are rightly regarded as tribes, for very little research was conducted in that area—to many thousands. Most tribes have a population of over 5,000 and the largest number between 30,000 and 45,000 souls. Each tribe is economically self-sufficient, having its own pastures, water-supplies, and fishing reservations, which its members alone have the right to exploit. It has a name which is the symbol of its distinction. The tribesmen have a sense of patriotism: they are proud to be members of their tribe and they consider it superior to other tribes. Each tribe has within it a dominant clan which furnishes a kinship framework on which the political aggregate is built up. Each also regulates independently its age-set organization.

None of the above-mentioned attributes clearly make a formal distinction between a tribe and its divisions. The simplest definition states that a tribe is the largest community which considers that disputes between its members should be settled by arbitration and that it ought to combine against other communities of the same kind and against foreigners. In these two respects there is no larger political group than the tribe and all smaller political groups are sections of it.

Within a tribe there is law: there is machinery for settling disputes and a moral obligation to conclude them sooner or later. If a man kills a fellow tribesman, it is possible to prevent, or curtail, a feud by payment of cattle. Between tribe and tribe there is no means of bringing together the parties to a dispute and compensation is neither offered nor demanded. Thus, if a man of one tribe kills a man of another tribe, retribution can only take the form of intertribal warfare. It must not be supposed that feuds within a tribe are easy to conclude. There is considerable control over retaliation within a village, but the larger the local community the more difficult settlement becomes. When two large divisions of a tribe are concerned in a feud, the chances of immediate arbitration and settlement are remote. The force of law varies with the distance in tribal structure that separates the

10:Evans-Pritchard E-S (1931-1936) 1940
F322 Nuer F322

persons concerned. Nevertheless, so long as a sense of community endures and the legal norm is formally acknowledged within a tribe, whatever may be the inconsistencies and contradictions that appear in the actual relations between tribesmen, they still consider themselves to be a united group. Then either the contradiction of feuds is felt and they are settled, the unity of the tribe being maintained thereby, or they remain so long unsettled that people give up all hope and intention of ever concluding them and finally cease to feel that they ought to be concluded, so that the tribe tends to split and two new tribes come into being.

Nor must it be supposed that the political limits of the tribe are the limits of social intercourse. People move freely all over Nuerland and are unmolested if they have not incurred blood-guilt. They marry and, to a small extent, trade across tribal boundaries, and pay visits to kinsmen living outside their own tribe. Many social relations, which are not specifically political, link members of different tribes. One has only to mention that the same clans are found in different tribes and that everywhere the age-sets are co-ordinated. Any Nuer may leave his tribe and settle in a new tribe, of which he thereby becomes a member. In time of peace, even Dinka foreigners may visit Nuerland unharmed. Moreover, we must recognize that the whole Nuer people form a single community, territorially unbroken, with common culture and feeling of exclusiveness. Their common language and values permit ready inter-communication. Indeed, we might speak of the Nuer as a nation, though only in a cultural sense, for there is no common political organization or central administration.

Besides being the largest group in which legal obligation is acknowledged, a tribe is also the largest group which habitually combines for offence and defence. The younger men of the tribe went, till recently, on joint raiding expeditions against the Dinka and waged war against other Nuer tribes. Raids on the Dinka were very frequent; war between tribes less so. In theory, if two sections of different tribes were engaged in hostilities, each could rely on the support of the other sections of the same tribe, but in practice they did not always join in. Contiguous tribes sometimes combined against foreigners, especially against the Dinka, though there was no moral obligation to do so, the alliance was of short duration, and the allies conducted their operations independently, even when in collaboration.

10:Evans-Pritchard E-5 (1931-1936) 1940
F322 Nuer F322

At the present time, Nuer are to the west and south bordered by Dinka, who appear to have very much the same kind of political system as their own, i.e. they comprise a congeries of tribes without centralized government. From the earliest times the Nuer have been fighting the Dinka and have been generally on the

offensive. We know that during the first half of the last century waves of Nuer broke from their homeland to the west of the Nile on to the Dinka lands to the east of that river and that they conquered and absorbed the inhabitants in most of what is now eastern Nuerland (the Nuer distinguish between *Nath cieng*, the 'homeland', or western Nuer, and *Nath doar*, the 'migrated', or eastern Nuer). Fighting between the two peoples has continued till the present time but there does not appear, if maps made by early

10:Evans-Pritchard E-5 (1931-1936) 1940
F322 Nuer F322

travellers are to be trusted, to have been much change of territory during the last fifty years. This eastwards migration is a fact that has to be taken into account, with those related earlier, if we wish to know why the eastern tribes are larger, territorially and numerically, than the western tribes, for it may be assumed that the struggle of conquest and settlement, and absorption of Dinka on an unprecedented scale, had some effect on the migrating hordes.

To the north, the Nuer are in varying degrees of contact with Arabs, the peoples of the Nuba Hills, the powerful Shilluk kingdom, and certain small communities in Darfung (Burun and Koma); while to the east and south-east they are bordered by the Galla of Ethiopia, the Anuak, and the Beir. Wherever the Nuer have direct relations with these peoples, they are hostile in character.

Arab slave-raiders from the Northern Sudan intruded here and there into the more accessible portions of Nuerland in the second half of the nineteenth century, but nowhere did they gain the upper hand or, indeed, make a marked impression on the Nuer, who opposed them as strongly as they resisted later the Egyptian Government, which undertook no serious operations against them. The Nuer likewise treated British rule with open disrespect till, as a result of lengthy military operations between 1928 and 1930, their opposition was broken and they were brought under effective administration. With the exception of this last episode in their history, the Nuer may be said to have reached in their foreign relations a state of equilibrium and of mutual hostility which was expressed from time to time in fighting.

A tribe is divided into territorial segments which regard themselves as separate communities. We refer to the divisions of a tribe as primary, secondary, and tertiary tribal sections. Primary sections are segments of a tribe, secondary sections are segments of a primary section, and tertiary sections are segments of a secondary section. A tertiary section is divided into villages and villages into domestic groups. A member of Z^3 tertiary division of tribe B sees himself as a member of Z^3 community in relation to Z^2, but he regards himself as a member of Y^3 and not of Z^3 in relation to Y^2. Likewise, he regards himself as a member of Y, and not of Y^2, in relation to X. He regards himself as a member of tribe B, and not of its primary section Y, in relation to tribe A. Thus, on a structural plane, there is always contradiction in the definition of a political group, for a man is a member of it in virtue

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

of his non-membership of other groups of the same type which he stands outside of, and he is likewise not a member of the same community in virtue of his membership of a segment of it which stands in opposition to its other segments. Hence a man counts as a member of a political group in one situation and not as a member of it in a different situation, e.g. he is a member of a tribe in relation to other tribes and he is not a member of it in so far as his segment of the tribe is opposed to other segments. In studying the Nuer political constitution, it is therefore essential that we

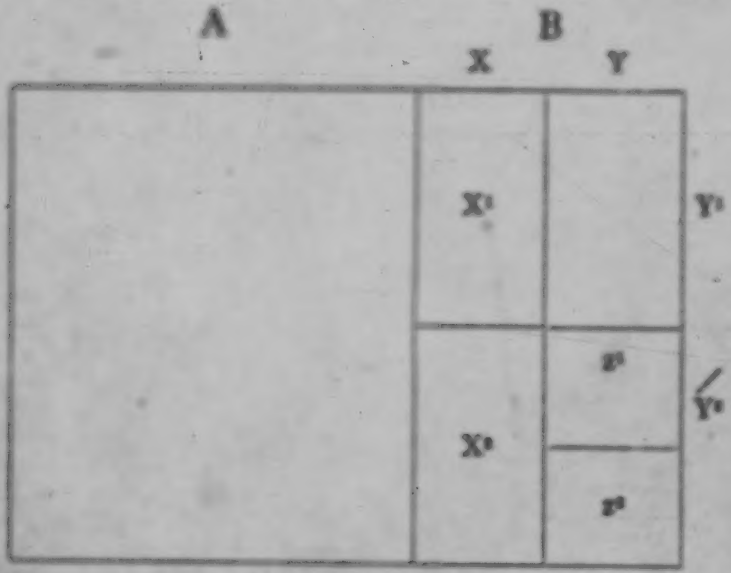

DIAGRAM No. II

view it together with those of their enemies as a single political system, for the outstanding structural characteristic of Nuer political groups is their *relativity*. A tribal segment is a political group in relation to other segments of the same kind, and they jointly form a tribe only in relation to other Nuer tribes and to adjacent foreign tribes which form part of their political system, and without these relations very little meaning can be attached to the concepts of 'tribe' and 'tribal segment'. That the distinction and individuality of a political group is in relation to groups of the same kind is a generalization that embraces all Nuer local communities, from the largest to the smallest.

128 The relation between tribes and between segments of a tribe

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

which gives them political unity and distinction is one of opposition. Between tribes, or federations of tribes, and foreign peoples this opposition is expressed, on the Nuer side at any rate, by contempt and persistent raiding, often carried out in a reckless and brutal manner. Between Nuer tribes, opposition is expressed by actual warfare or by acceptance that a dispute cannot, and ought not, to be settled in any other way. In intertribal warfare, however, women and children are neither speared nor enslaved. Between segments of the same tribe, opposition is expressed by the institution of the feud. A fight between persons of the same village or camp is as far as possible restricted to duelling with clubs. The hostility and mode of expression in these different relations varies in degree and in the form it takes.

Feuds frequently break out between sections of the same tribe and they are often of long duration. They are more difficult to settle the larger the sections involved. Within a village feuds are easily settled and within a tertiary tribal section they are concluded sooner or later, but when still larger groups are involved they may never be settled, especially if many persons on either side have been killed in a big fight.

A tribal section has most of the attributes of a tribe: name, sense of patriotism, a dominant lineage, territorial distinction, economic resources, and so forth. Each is a tribe in miniature, and they differ from tribes only in size, in degree of integration, and in that they unite for war and acknowledge a common principle of justice.

The strength of the sentiment associated with local groups is roughly relative to their size. Feeling of unity in a tribe is weaker than feeling of unity within its sections. The smaller the local group, the more the contacts its members have with one another and the more these contacts are co-operative and necessary for the maintenance of the life of the group. In a big group, like the tribe, contacts are infrequent, short, and of limited type. Also the smaller the group the closer and the more varied the relationships between its members, residential relations being only one strand in a network of agnatic, cognatic, and affinal relationships. Relationships by blood and marriage become fewer and more distant the wider the group.

It is evident that when we speak of a Nuer tribe we are using a relative term, for it is not always easy to say, on the criteria we have used, whether we are dealing with a tribe with two primary

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

segments or with two tribes. The tribal system as defined by sociological analysis can, therefore, only be said to approximate to any simple diagrammatic presentation. A tribe is an exemplification of a segmentary tendency which is characteristic of the political structure as a whole. The reason why we speak of Nuer political groups, and of the tribe in particular, as relative groups and state that they are not easily described in terms of political morphology, is that political relations are dynamic. They are always changing in one direction or another. The most evident movement is towards fusion. The tendency of tribes and tribal sections towards fusion and internal opposition between their parts is balanced by a tendency in the direction of fusion, of the combination or amalgamation of groups. This tendency towards fusion is inherent in the segmentary character of Nuer political structure, for, although any group tends to split into opposed parts, these parts tend to fuse in relation to other groups. Hence fission and fusion are two aspects of the same segmentary principle and the Nuer tribe and its divisions are to be understood as a relation between these two contradictory, yet complementary, tendencies. Physical environment, way of livelihood, mode of distribution, poor communications, simple economy, &c., to some extent explain the incidence of political cleavage, but the tendency towards segmentation seems to be inherent in political structure itself.

III. Lineage System

Tribal unity cannot be accounted for by any of the facts we have so far mentioned, taken alone or in the aggregate, but only by reference to the lineage system. The Nuer clan is not an undifferentiated group of persons who recognize their common kinship, as are many African clans, but is highly segmented. The segments are genealogical structures, and we therefore refer to them as lineages and to the clan as an exogamous system of lineages which trace their descent to a common ancestor. The defining characteristic of a lineage is that the relationship of any member of it to other members can be exactly stated in genealogical terms. His relationship to members of other lineages of the same clan is, therefore, also known, since lineages are genealogically related. Thus, in the diagram below, A is a clan which is segmented into maximal lineages B and C and these again bifurcate

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

into major lineages D, E, F, and G. In the same manner, minor lineages H, I, J, and K are segments of major lineages E and F; and L, M, N, and O are minimal lineages which are segments of minor lineages H and J. The whole clan is a genealogical structure, i.e. the letters represent persons to whom the clan and its segments trace their descent, and from whom they often take their names. There must be at least twenty such clans in Nuerland, without taking into account many small lineages of Dinka origin.

The Nuer lineage is a group of agnates, and comprises all living

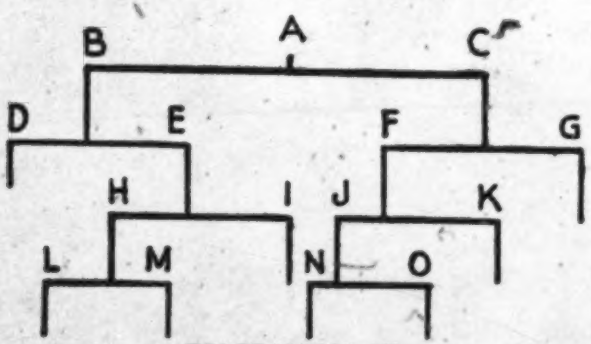

DIAGRAM No. III

persons descended, through males only, from the founder of that particular line. Logically, it also includes dead persons descended from the founder, but these dead persons are only significant in that their genealogical position explains the relationship between the living. The wider agnatic kinship is recognized the further back descent has to be traced, so that the depth of a lineage is always in proportion to its width.

The Nuer clan, being thus highly segmented, has many of the characteristics which we have found in tribal structure. Its lineages are distinct groups only in relation to each other. Thus, in the diagram, M is a group only by opposition to L, H is a group only by opposition to I, D is a group only by opposition to E, and so on. There is always fusion of collateral lineages of the same branch in relation to a collateral branch, e.g. in the diagram, L and M are no longer separate minimal lineages, but are a single minor lineage, H, in opposition to I, and D and E are no longer separate major lineages, but are a single maximal lineage, B, in opposition to C. Hence two lineages which are equal and opposite are composite in relation to a third, so that a man is a member of a lineage in relation

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

613 to a certain group and not a member of it in relation to a different group. Lineages are thus essentially relative groups, like tribal sections, and, like them, also are dynamic groups. Therefore they can only be described satisfactorily in terms of values and situations.

613 Nuer lineages are not corporate localized communities though
621 their members often have an association with a locality and speak of the locality as though it were an exclusive agnatic group. Every Nuer village is associated with a lineage, and though the members of it often comprise a small proportion of the community, it is identified with them in such a way that we may speak of it as an aggregate of persons clustered around an agnatic nucleus. The aggregate is linguistically identified with the nucleus by the designation of the village community by the name of the lineage. It is only in reference to rules of exogamy and certain ritual activities that one needs to regard lineages as completely autonomous groups. In social life generally, they function within local communities, of all sizes from the village to the tribe, and as part of them. We cannot here discuss the ways by which residential groups become a network of kinship ties—marriage, adoption, and various fictions—but the result tends to be that a local group is a cognatic cluster round an agnatic core, the rules of exogamy being the operating principle in this tendency.

614 Nuer clans are everywhere much dispersed, so that in any village or camp one finds representatives of diverse clans. Small lineages have moved freely over Nuerland and have settled here and there and have aggregated themselves to agnatically unrelated elements in local communities. Migration and the absorption of Dinka have been circumstances favouring the dispersal and
[769] mixture of clans. Being a conquering, pastoral people and not having an ancestral cult, the Nuer have never been bound to any particular spot by necessity or sentiment.

Nevertheless, there is a straight relation between political structure and the clan system, for a clan, or a maximal lineage, is associated with each tribe, in which it occupies a dominant position among other agnatic groups. Moreover, each of its segments tends to be associated with a segment of the tribe in such a way that there is a correspondence, and often a linguistic identification, between the parts of a clan and the parts of a tribe. Thus if we compare Diagrams II[1] and III[2] and suppose clan A to be the dominant clan in tribe B, then maximal lineages B and C correspond to primary

[1] [see p. 282, cat. 116 -- Analyst]
[2] [see p. 285, cat. 285 -- Analyst]

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

sections X and Y; major lineages D and E correspond to secondary section X^1 and X^2; major lineages F and G correspond to secondary sections Y^1 and Y^2; and minor lineages J and K correspond to tertiary sections Z^1 and Z^2. 614

We speak of a clan which is dominant in a tribe as the aristocratic clan, although, except on the periphery of Nuer expansion eastwards, its predominance gives prestige rather than privilege. Its members are in a minority—often a very small minority—in the tribe. Not all members of the aristocratic clan live in the tribe where it is dominant, but many are also found in other tribes. Not all clans are associated with a tribe in this manner. A man is only an aristocrat in the one tribe in which his clan is dominant. If he lives in another tribe, he is not an aristocrat there.

There is consequently in every tribe some social differentiation. There are aristocrats, Nuer of other clans, and Dinka, but these strata are not classes and the second and third are properly to be regarded as categories rather than as groups. The Dinka who have been absorbed into Nuer society have been for the most part incorporated into their kinship system by adoption and marriage, and conquest has not led to the development of classes or castes. This is, perhaps, to be attributed, in part at any rate, to the fact that the Dinka, like the Nuer, are chiefly pastoralists and that in other respects their ways of life are very similar. 614 565

Without presenting all the evidence and without making every qualification, we attempt an explanation of why Nuer clans, especially the dominant clans, are segmented into lineages to a far greater degree than is usual among African peoples. In our view, they are segmented because the political structure to which they correspond is segmented in the way we have described. Social obligations among the Nuer are expressed chiefly in a kinship idiom and the interrelations of local communities within a tribe are defined in terms of agnatic relationship. Therefore, as the tribe segments the clan segments with it and the point of separation between the tribal sections becomes the point of divergence in the clan structure of the lineages associated with each section. For, as we have seen, clans and their lineages are not distinct corporate groups, but are embodied in local communities, through which they function structurally. Such being the case, it is not surprising that they take the form of the State which gives them corporate substance.

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

619 Those clans which are associated with tribes have generally
614 greater lineage extension and depth than those which are not so
565 associated, and the larger the tribe the more significance this association has for the Nuer. It is in the largest tribes, territorially and numerically, and those which have expanded most and assimilated most foreigners, like the Lou and Eastern Gaajak and Gaajok tribes, that we find the greatest attention paid to the distinct and dominant position of the aristocratic clans. Indeed, not only do political relations affect the clan structural form, splitting it into segments along the lines of political fission, but also the clan system may be said to have a corresponding action on the political structure. In a confusion of lineages of different clan origin and in an amorphous network of cognatic links, the political structure is given consistent form, in the language of kinship, by one clan—a single system of lineages—being made to correspond to the tribe and to its structure of opposed segments. Just as a man is a member of a tribal segment opposed to other segments of the same order and yet also a member of the tribe which embraces all these segments, so also he is a member of a lineage opposed to other lineages of the same order and yet also a member of the clan which embraces all these lineages, and there is a strict correspondence between these two sets of affiliations, since the lineage is embodied in the segment and the clan in the tribe. Moreover, the distance in clan structure between two lineages of a dominant clan tends to correspond to the distance in tribal structure between the two sections with which they are associated. Thus the system of lineages of the dominant clan enables the Nuer to think of their tribe in the highly consistent form of clan structure. In each segment the network of kinship ties are given unity and coherence by their common relationship to the lineage of the dominant clan that resides there, and as these separate lineages are composite in relation to other clans so the whole tribe is built around an exclusive agnatic framework. Though the sections may tend to draw apart and to split, a common agnatic value, shared by the dominant lineages contained in them, endures.

IV. Age-set System

561 Another tribal institution is the age-set system, which is socially more significant among the Nuer than among other Nilotic peoples of the Sudan. Nuer boys pass into the grade of manhood through

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

a severe ordeal and a series of rites connected with it. These initiations take place whenever there are a sufficient number of boys of from about fourteen to sixteen years of age in a village or district. All the youths who have been initiated in a successive number of years belong to one age-set, and there is a four-year interval between the last batch of initiates of one set and the first batch of the next set, and during this interval no boys may be initiated. The initiation period is open for about six years, so that, with the four years of the closed period, there are about ten years between the commencement of any age-set and the commencement of the set that precedes or succeeds it. The age-sets are not organized in a cycle.

Nuer age-sets are a tribal institution in the sense that, in the larger tribes at any rate, all the sections of a tribe have the same open and closed periods and call the sets by the same names. They are also the most characteristic of all Nuer national institutions, for initiation scars are the sign of their communion and the badge of their supremacy. Moreover, though each big tribe has its own age-set organization, adjacent tribes co-ordinate their sets in periods and nomenclature, so that the Western Nuer, the Eastern Nuer, and the Central Nuer tend to fall into three divisions in this respect. But even when a man travels from one end of Nuerland to the other, he can always, and easily, perceive the set which is equivalent to his own in each area. The age-set system, therefore, like the clan system, whilst having a tribal connotation, is not bound by lines of political cleavage.

There is usually in each tribe a man whose privilege it is to open and close initiation periods and to give each set its name. This man belongs to one of those lineages which have a special ritual relationship to cattle and are known as 'Men of the Cattle'. He opens and closes initiation periods in his own district, and other districts of his tribe follow suit. Once a period has been opened, each village and district initiates its boys when it pleases. The age-sets have no corporate activities and cannot be said to have specific political functions. There are no grades of 'warriors' and 'elders' concerned with the administration of the country, and the sets are not regiments, for a man fights with the members of his local community, irrespective of age. In the rites of initiation there is no educative or moral training. There is no leadership in the sets.

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

561 There are probably never more than six sets in existence at any time, since six sets cover about seventy-five years. As each set dies its name is remembered only for a generation or two. Each set becomes more senior as the years go on, so that a man rises from a junior to a middle, and from a middle to a senior position in his community as a member of a group. The stratification of the age-set system is thus a further exemplification of the principle of segmentation which we have seen to be a characteristic of the political and kinship systems. There is further stratification within each set, but this is not of great importance, for the set sees itself, and is seen by others, as an undivided group in relation to other sets, and its divisions become merged as the set becomes more senior. A set once complete does not change its membership, but the sets are constantly changing their positions in relation to the whole system. There is also a certain relativity about these stratified sets similar to that we noted about tribal sections and clans, for, while they keep their distinction, there is often a situational fusion of two sets in relation to a third. This is especially apparent at feasts. Whether a set is regarded as junior or equal depends not only on its position in the age-set structure, but also on the status of a third set concerned in any situation, a tendency due to the connexion between age-sets and generations.

The most evident action of age-sets in determining behaviour is the way duties and privileges are effected by a transition from boyhood to manhood. Also, in virtue of the position of his set in the structure, every male Nuer is in a status of seniority, equality, or juniority towards every other Nuer man. Some men are his 'sons', some his 'brothers', and some his 'fathers'. Without entering here into further detail, we may say that the attitude of a man towards other men of his community is largely determined by their respective positions in the age-set system. Hence age relations, like kinship relations, are structural determinants of behaviour. The age-set system may, moreover, be regarded as a political institution, since it is, to a large extent, segmented tribally and since it divides a tribe—as far as its male members are concerned—into groups, based on age, which stand in a definite relation to each other. We do not consider, however, that it has any direct accord with the tribal structure, based on territorial segmentation, which we have recorded. The politico-territorial

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

system and the age-set system are both consistent in themselves 561
and to some extent overlap, but they are not interdependent.

V. Feuds and other Disputes

The political system operates largely, we think, through the 628
institution of the feud which is regulated by a mechanism known 624
as the 'leopard-skin chief', a title we retain, although the appellation of 'chief' is misleading. This person is one of those specialists who are concerned, in a ritual capacity, with various departments of Nuer social life and of nature. Leopard-skin chiefs belong to certain lineages only, though not all members of these lineages utilize their hereditary ritual powers. In most of Nuerland, the lineages are not branches of dominant clans.

When a man has killed another, he must at once go to a chief, who cuts his arm so that the blood may flow. Until this mark of Cain has been made, the slayer may neither eat nor drink. If he fears vengeance, as is normally the case, he remains at the chief's home, for it is sanctuary. Within the next few months the chief elicits from the slayer's kin that they are prepared to pay compensation to avoid a feud and he persuades the dead man's kin that they ought to accept compensation. During this period neither party may eat or drink from the same vessels as the other and they may not, therefore, eat in the home of the same third person. The chief then collects the cattle—till recently some forty to fifty beasts—and takes them to the dead man's home, where he performs various sacrifices of cleansing and atonement. Such is the procedure of settling a feud, and before the present administration it had often to be used, for the Nuer are a turbulent people who esteem courage the highest virtue and skill in fighting the most necessary accomplishment.

In so brief a description, one may give the impression that the chief judges the case and compels acceptance of his decision. Nothing could be further from the facts. The chief is not asked to deliver a judgement: it would not occur to Nuer that one was required. He appears to force the kin of the dead man to accept compensation by his insistence, even to the point of threatening to curse them, but it is an established convention that he shall do so, in order that the bereaved relatives may retain their prestige. What seems really to have counted were the acknowledgement of community ties between the parties concerned, and hence of the

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

628 moral obligation to settle the affair by the acceptance of a tradi-
624 tional payment, and the wish, on both sides, to avoid, for the time being at any rate, further hostilities.

628 A feud directly affected only close agnatic kinsmen on both sides. One did not avenge oneself on cognates or on distant agnates. Nevertheless, we believe that the feud had a wider social connotation and that therein lies its political significance. We must first recognize that feuds are more easily settled the smaller the group involved. When a man kills a near kinsman or a close neighbour, the matter is quickly closed by compensation, often on a reduced scale, being soon offered and accepted, for when a homicide occurs within a village general opinion demands an early settlement, since it is obvious to every one that were vengeance allowed corporate life would be impossible. At the other end of the scale, when a homicide occurs between primary or secondary sections of a tribe, there is little chance of an early settlement and, owing to distance, vengeance is not easily achieved, so that unsettled feuds accumulate. Such homicides are generally the result of intertribal fights in which several persons are killed. This not only increases the difficulty of settlement, but continues between the sections the mutual hostility that occasioned the fight, for, not only the close agnatic kinsmen of the dead, but entire local communities are involved. Feud, as a choice between direct vengeance and acceptance of compensation, without the necessity of immediate settlement, but requiring eventual conclusion, is especially a condition that flourishes between villages of the same district. The kinsmen of the dead man are near enough to strike at the kinsmen of the slayer and far enough from them to permit a temporary state of hostility between the local communities to which the parties belong. For whole communities are of necessity involved, though they are not subject to the rigid taboos that a homicide imposes on close agnatic kinsmen of slayer and slain, nor are they threatened with vengeance. Nevertheless, their members are, as a rule, closely related by cognatic or affinal ties to the principals and must assist them if there is an open fight. At the same time, these communities have frequent social contacts, so that eventually the mechanism of the leopard-skin chief has to be employed to prevent their complete dislocation. The feud thus takes on a political complexion and expresses the hostility between political segments.

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

The balanced opposition of political segments is, we believe, largely maintained by the institution of the feud which permits a state of latent hostility between local communities, but allows also their fusion in a larger group. We say that the hostility is latent because even when a feud is being prosecuted there is no uninterrupted endeavour to exact vengeance, but the kinsmen of the dead may take any opportunity that presents itself to accomplish their purpose; and, also, because even when compensation has been accepted the sore rankles and the feud may, in spite of settlement, break out again, for Nuer recognize that in sentiment a feud goes on for ever. The leopard-skin chief does not rule and judge, but acts as mediator through whom communities desirous of ending open hostility can conclude an active state of feud. The feud, including the role played in it by the chief, is thus a mechanism by which the political structure maintains itself in the form known to us.

The leopard-skin chief may also act as mediator in disputes concerning ownership of cattle, and he and the elders on both sides may express their opinion on the merits of a case. But the chief does not summon the defendants, for he has neither court nor jurisdiction and, moreover, has no means of compelling compliance. All he can do is to go with the plaintiff and some elders of his community to the home of the defendant and to ask him and his kinsmen to discuss the matter. Only if both sides are willing to submit to arbitration can it be settled. Also, although the chief, after consultation with the elders, can give a verdict, this verdict is reached by general agreement and in a large measure, therefore, arises from an acknowledgement by the defendant's or plaintiff's party that the other party has justice on its side. It is, however, very seldom that a chief is asked to act as mediator, and there is no one else who has authority to intervene in disputes, which are settled by other than legal methods.

In the strict sense of the word, the Nuer have no law. There is no one with legislative or juridical functions. There are conventional payments considered due to a man who has suffered certain injuries—adultery with his wife, fornication with his daughter, theft, broken limbs, &c.—but these do not make a legal system, for there is no constituted and impartial authority who decides on the rights and wrongs of a dispute and there is no external power to enforce such a decision were it given. If a man has right on his side, and, in virtue of that, obtains the support of his kinsmen and

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

they are prepared to use force, he has a good chance of obtaining what is due to him, if the parties live near to one another. The usual way of obtaining one's due is to go to the debtor's kraal and take his cattle. To resist is to run the risk of homicide and feud. It seems that whether, and how, a dispute is settled depends very largely on the relative positions of the persons concerned in the kinship and age-set systems and the distance between their communities in tribal structure. In theory, one can obtain redress from any member of one's tribe, but, in fact, there is little chance of doing so unless he is a member of one's local community and a kinsman. The force of 'law' varies with the position of the parties in political structure, and thus Nuer 'law' is essentially relative, like the structure itself.

During the year I spent with the Nuer, I never heard a case being conducted, either before an individual or before a council of elders, and I received the impression that it is very rare for a man to obtain redress except by force or threats of force. And if the Nuer has no law, likewise he lacks government. The leopard-skin chief is not a political authority and the 'Man of the Cattle' and other ritual agents (totemic specialists, rain-makers, fetich-owners, magicians, diviners, &c.) have no political status or functions, though they may become prominent and feared in their locality. The most influential men in a village are generally the heads of joint families, especially when they are rich in cattle, of strong character, and members of the aristocratic clan. But they have no clearly defined status or function. Every Nuer, the product of a hard and equalitarian upbringing, deeply democratic, and easily roused to violence, considers himself as good as his neighbour; and families and joint families, whilst co-ordinating their activities with those of their fellow villagers, regulate their affairs as they please. Even in raids, there is very little organization, and leadership is restricted to the sphere of fighting and is neither institutionalized nor permanent. It is politically significant only when raids are controlled and organized by prophets. No Nuer specialists can be said to be political agents and to represent, or symbolize, the unity and exclusiveness of local groups, and, apart from the prophets, none can be said to have more than local prominence. All leaders, in this vague sense of influential persons in a locality, are adults and, except for an occasional prophetess, all are men.

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

Owing to the fact that Nuer prophets had been the foci of opposition to the Government, they were in disgrace, and the more influential of them under restraint or in hiding, during my visit to Nuerland, so that I was not able to make detailed observations on their behaviour. Nuer are unanimous in stating that they did not arise much before the end of the last century and there is some evidence to suggest that their emergence was connected with the spread of Mahdism. However that may be, there can be no doubt that powerful prophets arose about the time of Arab intrusion into Nuerland and that at the time of British conquest they were more respected and had wider influence than any other persons. No extensive raids were undertaken without their sanction and often they led them, received part of the spoil, and to some extent supervised the division of the rest of it. Though there seems to be good evidence that the earlier prophets were no more than ritual agents, some of the later ones appear to have begun to settle disputes, at any rate in their own districts. However, their chief political importance rather lay elsewhere. For the first time a single person symbolized, even if in a mainly spiritual form, the unity of a tribe, for the prophets were essentially tribal figures, though—and this fact is also of great political significance—their influence often extended over tribal boundaries and brought about a larger degree of unity among adjacent tribes than there appears to have been hitherto. When we add that there was a tendency for the spirits which possessed prophets to pass, at their deaths, into their sons, we are justified in concluding that development was taking place towards a higher degree of federation between tribes and towards the emergence of political leadership, and in explaining these changes by reference to Arab and European intrusion. Opposition between Nuer and their neighbours had always been sectional. They were now confronted by a more formidable and a common enemy. When the Government overthrew the prophets, this development was checked.

VI. Summary

We have briefly described and analysed what we regard as Nuer political structure: the relations between territorial segments within a territorial system and the relations between that and other social systems within an entire social structure. We have examined intertribal relations, and the relations between tribal

10:Evans-Pritchard E-5 (1931-1936) 1940
FJ22 Nuer FJ22

segments. It is these relations, together with the tribal and inter-tribal contacts with foreign peoples, that we define as the Nuer political system. In social life the political is combined with other systems, particularly the clan system and the age-set system, and we have considered what relation they bear to the political structure. We have also mentioned those ritual specialisms which have political significance. The political system has been related to environmental conditions and modes of livelihood.

The Nuer constitution is highly individualistic and libertarian. It is an acephalous state, lacking legislative, judicial, and executive organs. Nevertheless, it is far from chaotic. It has a persistent and coherent form which might be called 'ordered anarchy'. The absence of centralized government and of bureaucracy in the nation, in the tribe, and in tribal segments—for even in the village authority is not vested in any one—is less remarkable than the absence of any persons who represent the unity and exclusiveness of these groups.

It is not possible from a study of Nuer society alone, if it be possible at all, to explain the presence and absence of political institutions in terms of their functional relationship to other institutions. At best we can say that certain social characteristics seem to be consistent. Environmental conditions, mode of livelihood, territorial distribution, and form of political segmentation appear to be consistent. So do the presence of clans with genealogical structure and a developed age-set system seem to go together with absence of political authority and of class-stratification. Comparative studies alone will show whether generalizations of such a kind are true and, moreover, whether they are useful. We cannot here discuss these questions and will only say, in conclusion, that the consistency we perceive in Nuer political structure is one of process rather than of morphology. The process consists of complementary tendencies towards fission and fusion which, operating alike in all political groups by a series of inclusions and exclusions that are controlled by the changing social situation, enable us to speak of a system and to say that this system is characteristically defined by the relativity and opposition of its segments.